

FILED OCT 21 14 55 PM '05

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JUDY DARK, Personal	)	
Representative of Estate of	)	
Thomas E. Dark, deceased,	)	
	)	
Plaintiff,	)	
	)	Civil No. 03-3122-CO
v.	)	
	)	ORDER
PHILIP MACDONALD, et al.,	)	
	)	
Defendants.	)	
_____	)	

Magistrate Judge John P. Cooney filed his Findings and Recommendation on October 17, 2005. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1982). See also Britt v. Simi Valley Unified School Dist., 708 F.2d

452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Judge Cooney's Findings and Recommendation. Defendants Lake County, McDonald, and Wilkie's motion for summary judgment is granted, and defendants' alternative motion to dismiss defendant Wilkie (#35) is granted, and these defendants are dismissed with prejudice.

IT IS SO ORDERED. <sup>+</sup>

DATED this 21<sup>st</sup> day of Nov., 2005.

  
UNITED STATES DISTRICT JUDGE